REMARKS

Claims 1-2 and 5-20 are now pending. Claims 1 and 5 have been amended to delete the references to "about". Support for claim 20 is found in example 2.

Applicants' counsel great appreciate the courtesy extended by Examiners Chong and Wang to her and Jennifer Kaufman-Shaw during the telephonic interview of November 14, 2006.

As discussed in the interview, applicant' have deleted the reference to "about." The Examiners believed that the outstanding rejection under 35 USC § 112, second paragraph was overcome. As discussed on page 4 of the Response to the final Office Action filed August 16, 2006, the person having ordinary skill in the art would understand the definition of an occult lesion having an occult component of 50-100% as described in the present application, in the TAP Report 1 and in the attachment to the Response to final Office Action.

Applicants have outlined on pages 5-6 of the Response to final Office Action filed August 16, 2006, the argument in response to the obviousness rejection that was discussed during the interview. Specifically, the applicants' counsel referred to the results in Table 2, on page 45 of the present application, which shows in the second, third and fifth rows, a subset of subjects having an occult lesion having a) a lesion size of less than or equal to 4 disc areas or b) visual acuity of less than 65 letters. These results show that there is a significant and advantageous difference in the verteporfin-treated group in comparison to the placebo-treated group for a subset of subjects having an occult lesion, in contrast to what was found in the TAP Report 1. In the TAP Report 1, in Table 5 on page 1340, for the group of patients having an occult lesion >0 to <50, there was no significant differential between verteporfin-treated patients and placebo-treatment group. The sixth row of Table 2 on page 45 of the present application also shows poor results for a subset of subjects having an occult lesion that have neither of the limitations defined in claim 1, as in of Table 2 on page 45 of the present application. During the interview, the Examiners indicated that they agreed with our arguments that the TAP Report 1 does not suggest selecting a particular subgroup having the characteristics as claimed, nor the advantageous results. Thus, as there is no motivation to select a particular subgroup, a *prima facie* case of obviousness has not been established, and even if for the

sake of argument, a *prima facie* case of obviousness was established, the applicants have shown advantageous results with respect to the particular subgroup as claimed. Thus, applicants respectfully request withdrawal of the obviousness rejection.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **273012012500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 17, 2006

Respectfully submitted,

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